

1 JEFFREY E. FAUCETTE (No. 193066)
2 Email: jfaucette@howardrice.com
SIMONA ALESSANDRA AGNOLUCCI
(No. 246943)
3 Email: sagnolucci@howardrice.com
HOWARD RICE NEMEROVSKI
4 CANADY FALK & RABKIN
A Professional Corporation
5 Three Embarcadero Center, 7th Floor
San Francisco, California 94111-4024
6 Telephone: 415/434-1600
Facsimile: 415/217-5910

7 Attorneys for Defendant
8 WI-LAN, INC.

9 LINDA JEAN THAYER (No. 195115)
10 Email: linda.thayer@finnegan.com
FINNEGAN, HENDERSON, FARABOW,
11 GARRETT & DUNNER, L.L.P.
3300 Hillview Avenue
Palo Alto, California 94304
12 Telephone: 650/849-6600
Facsimile: 650/849-6666

13 Attorneys for Plaintiff
14 MARVELL SEMICONDUCTOR, INC.

HOWARD
RICE
NEMEROVSKI
CANADY
FALK
& RABKIN
A Professional Corporation

15
16 UNITED STATES DISTRICT COURT
17 NORTHERN DISTRICT OF CALIFORNIA
18 OAKLAND DIVISION

19
20 MARVELL SEMICONDUCTOR INC., a
California corporation,

21 Plaintiff,

22 v.

23 WI-LAN, INC., a Canadian corporation,

24 Defendant.

25 No. C 07-05626 SI

Action Filed: November 5, 2007

STIPULATION AND [PROPOSED]
ORDER RE INITIAL CASE
MANAGEMENT CONFERENCE

26

27

28

The initial case management conference in this matter is currently set for May 30, 2008 at 2:00 p.m. Defendant Wi-LAN, Inc. has filed a motion to dismiss the complaint and that motion is set for hearing on June 13, 2008 (the hearing was continued to this date by Wi-LAN pursuant to Local Rule 7-7(a)). The parties are currently engaged in settlement discussions which may result in the voluntary dismissal of the lawsuit. If the lawsuit is not dismissed by Plaintiff Marvell Semiconductor, Inc., then the Court may grant Wi-LAN's motion to dismiss. In either event, there would be no need for an initial case management conference. To date, the parties have not yet met and conferred pursuant to Rule 26. If the case is not dismissed prior to the hearing on the motion to dismiss on June 13, and the Court is inclined to deny the motion, then the Court may set a date for an initial case management for a date some reasonable time after June 13.

FOR THE FOREGOING REASONS, IT IS THEREFORE HEREBY STIPULATED,
by and between the parties, by and through their respective attorneys of record, that:

The initial case management conference in this matter shall be vacated and reset by the Court following the hearing on Wi-LAN's motion to dismiss on June 13, 2008.

DATED: May 7, 2008

By: _____ /s/
JEFFREY E. FAUCETTE

Atorneys for Defendant WI-LAN, INC.

DATED: May 7, 2008

By: _____ /s/
LINDA JEAN THAYER

Attorneys for Plaintiff MARVELL
SEMICONDUCTOR, INC.

ATTESTATION

I, Jeffrey E. Faucette, am the ECF User whose identification and password are being used to file this Stipulation And [Proposed] Order Re Initial Case Management Conference. In compliance with General Order 45.X.B, I hereby attest that Linda Jean Thayer has concurred in this filing.

DATED: May 7, 2008

**JEFFREY E. FAUCETTE
SIMONA ALESSANDRA AGNOLUCCI
HOWARD RICE NEMEROVSKI CANADY
FALK & RABKIN
A Professional Corporation**

By: _____ /s/
JEFFREY E. FAUCETTE

Attorneys for Defendant WI-LAN, INC.

HOWARD
RICE
NEMEROVSKI
CANADY
FALK
& RABKIN

A Professional Corporation

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: _____;

UNITED STATES DISTRICT COURT JUDGE